

To whom it my Concern,

My name is Ron Krause and I work in the information technology field. I would modestly say I have a good understanding of computer hardware and software. I was alerted to this plan by the www.news.com web site. After reviewing the information about the plan I decided to follow up and actually send you my comments to it.

My comments are these:

It's a very bad idea for everyone.

My reasons for that comment are as follows.

1) It ignores the fact that providing the ability to make a copy (I.e. exercise fair use) has historically increased the media market enormously. Videotapes have lead to the growth of Hollywood / Network TV / Cable TV in general. Whilst the leaders of Hollywood would have had you believe that the VCR would be the downfall of Hollywood it not only turned out not to be the downfall but a benefit. The leaders of the media world couldn't or wouldn't take a long view and see the potential there, the government did. Again we circle back to these predictions of doom-and-gloom and again the potential benefit is there.

2) Essentially, what this hardware would do is try to say in effect that a VCR copy is ok but a digital copy isn't. It ignores the fact that these VCR tapes are indeed loaded / copied / traded etc. The problem it seems isn't really the copying or activities but the media of the copy. Why does the media of the copy make a difference? There are indeed programs that allow copyright abuse and their users but they are a tiny percentage of the American populous. I feel that it is NOT piracy that this hardware is truly directed at but control and profit. The hope of the media companies that by denying fair use they will have more sales - bottom line is that they think they can get control the type of media and use that to extract more money for the same product. It boils down to the America populous trading our fair use capabilities to give the media companies more money. Mandating that kind of "trade" is not what I believe the FCC is about.

3) It ignores the fact that this would increase the costs for consumers with NO benefit to them at all.

4) It is easy to see TV sales plummet over this, being bad for the retail and manufacturers. The media companies may say that the extra money they would get from this would be used to fund more and better shows. But why would they? What is their motive to do this? They already have the extra money why spend it on the public when it can just as easily go to their own profit margin?

4) It creates a grey market for unmodified TV sets. I have no doubt that as soon as this becomes law such TV's will immediately spring up. This now turns into a strange enforcement issues being thrust on to already overburdened system.

5) It doesn't really stop any sort of piracy; it just makes it harder for the average consumer to do what he is accustomed to. As long as one TV set exists that can receive these signals and record them, copies can be made as long as one computer is hooked up to a network it can take those recordings and transmit them.

6) What this all seems to reduce to is trying to have the federal government protect a business model. It is not governments place to do so and is self defeating in the long run. Society will continue to change in ways that cannot be predicted nor controlled. Anyone who forgets this does so at the risk of being judged a fool by history at the very least. Right now the media companies are looking very foolish.

To sum it all up (A) Bad for Consumers, (B) Bad for Manufacturers and Retailers (C) Bad for Government / Law Enforcement (D) Bad for Hollywood and TV media companies IN THE LONG RUN.

Thank you for your time.

Sincerely,

Ron Krause